

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ADRIAN CLARK	:	CIVIL ACTION
	:	
v.	:	
	:	
MICHAEL J. ASTRUE,	:	
Commissioner of Social Security	:	NO. 09-0365

O R D E R

AND NOW, this 22nd day of November, 2010, upon consideration of the cross-motions for summary judgment, and after review of the Report and Recommendation of United States Magistrate Judge L. Felipe Restrepo, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. Plaintiff's Motion for Summary Judgment is GRANTED insofar as plaintiff requests a remand;
3. Defendant Commissioner's Motion for Summary Judgment is DENIED;
4. The matter is REMANDED to the Commissioner, pursuant to sentence four of 42 U.S.C. § 405(g), for further proceedings consistent with the Report and Recommendation of United States Magistrate Judge L. Felipe Restrepo.

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY, J.